

Notice of Allowability

Application No.

10/822,832

Examiner

Lars A Olson

Applicant(s)

POPOVIC, DAVID J.

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 13 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 04132004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Reasons for Allowance

1. Claims 1-17 are allowed.
2. The following is an examiner's statement of reasons for allowance. The anti-fouling laminate as claimed is not shown or suggested in the prior art because of the use of a laminate that is comprised of a first layer of a non-porous transfer adhesive for securing said laminate to an object, a second layer of a non-porous film for strengthening said laminate, a third layer of a mixture of a synthetic rubber and cuprous oxide, and a manually removable fourth layer of a non-porous plastic film, which is removable in order to expose said third layer for providing anti-fouling protection to said object. The prior art also does not show or suggest the use of said anti-fouling laminate as described above in combination with an object in the form of a hull of a vessel.
3. The prior art as disclosed by Cox et al. (US 5,814,172), Inoue (US 5,423,631), Andoe (US 4,772,344), Bews (US 4,603,653) and Thomas (US 3,554,154) shows the use of various anti-fouling surfaces and structures for application on the hulls of marine vessels, some of which are comprised of multiple layers, and utilize anti-fouling materials such as copper plates, copper particles, or copper alloy particles embedded in a layer of elastomeric or thermoplastic material. However, none of the prior art cited shows or suggests the use of an anti-fouling laminate that is comprised of a first layer of a non-porous transfer adhesive for securing said laminate to an object, a second layer of a non-porous film for strengthening said laminate, a third layer of a mixture of a synthetic rubber and cuprous oxide, and a manually removable fourth layer of a non-

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porous plastic film, which is removable in order to expose said third layer for providing anti-fouling protection to said object. The prior art also does not show or suggest the use of said anti-fouling laminate as described above in combination with an object in the form of a hull of a vessel.

Conclusion

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

lo

February 7, 2005

**LARS A. OLSON
PRIMARY EXAMINER**

Lars Olson
2/7/05